



CONSOLIDATED FREIGHTWAYS

MC-96-28

QA-21498

FHWA-97-2350-45

January 20, 1997

CERTIFIED MAIL NO. P 227 777 219
RETURN RECEIPT REQUESTED

To: D.Rediger # 68732 (AKV/AKO 30)

From: T.Kenny

Re: Written Warning Letter - Delay of Freight

LEADS/REGS. DIV.

97 FEB 14 AIO: 25

ADMINISTRATION

This letter is being issued in accordance with Article 46 of the Central States Area Over-the-Road Motor Freight Supplemental Agreement.

This is a warning letter for delaying freight on 1/13/97 and 1/14/97. You were dispatched to HAG with units 18-3711, 17-3944 and 5-210. Your paysheet indicated you departed AKO at 2204 on 1/13/97 and arrived in HAG at 0810 on 1/14/97. This is a total of 10 hours 6 minutes to travel 263 miles.

Consolidated Freightways will not tolerate this type of action. You are expected to arrive at your destination in a timely manner.

Future infractions of this nature will result in more severe disciplinary action up to and including discharge.

Thomas L. Kenny
Thomas L. Kenny
Personnel Manager

/yj

cc: J. Lyons, AKO
M. Madigan, AKD
H. Whitcraft, Local #24
Union Steward
File



DOCKET MC-96-28-103
PAGE 1 OF 10



January 27, 1997

TO: Tom Kenny
FROM: Duane Rediger #68732
RE: Written Warning Letter - Certified Mail #P 227 777 219

Please be advised that this letter represents my official protest to the above mentioned warning letter, dated January 20, 1997, for the reasons listed below.

- I - The mileage that you sight in your letter is 263 miles, when in fact the mileage between Akron, Ohio and Hagerstown, Maryland is 296 miles.
- II - You state in your letter that it took me 10 hours and 6 minutes to travel the (263) actual 296 miles. However you make no mention of the nearly 45 minutes that it took me to locate and check the unit out or do the required paperwork, such as the driver's daily log and the units mechanical report (252).
- III - At 0230 hours on January 14, 1997 I became feverish and felt ill, somewhat sick to my stomach. Thinking back this could have had something to do with what I had to eat, in the preceding hour. Whatever the cause, I did not feel physically capable of operating my unit in a safe manner. Therefore I followed company instructions and DOT regulations and rested for a period of 2 hours and 15 minutes time, at which time I did not yet feel quite right but felt that I could at least complete the tour safely. The DOT regulation I refer to is Federal Motor Carrier Safety Regulation, Section 392.3. The company rule that I refer to can be found on pages 4 and 5, Paragraph 11. Sub-Paragraph h, of the Transport Operators Manual that was given to me by the company.
- IV - No mention is made of the snow and icy road conditions I encountered enroute to Hagerstown, but then you may not have been aware of that. However, if you subtract the time for Pre-trip inspection, the one hour meal period and the 2 hour and 15 minute rest for illness, the actual time it took to travel the 296 miles is reduced to 6 hours and 15 minutes. This by any standard is a reasonable amount of time.
- V - Furthermore, nothing is mentioned in the Local Work Rules or the National Master Freight Agreement that would lead me to believe that road drivers have a maximum allowable amount of driving time between points, although the DOT does have a maximum.

VI - Had the company checked, you would have found that in the past twenty years, the occasions where I became ill or fatigued enroute are few and far between. Additionally, I have an excellent safe driving record and an operating cost per mile that ranks with the lowest of any driver employee. It has never been, is not now, nor never will be my intention to unduly delay the movement of freight, between points.

In view of the above, it would appear that you are attempting to discipline me, when disciplinary action is neither deserved nor justified.

I respectfully request that the warning letter be rescinded and permanently removed from my personnel file. If you have and further questions, please do not hesitate to contact me.

Respectfully,

Duane Rediger

Duane Rediger

cc: J. Lyons
H. Whitcraft
Local #24
Union Stewards
DOT

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Form MCS 59 Prescribed by the U.S. Department of Transportation Federal Highway Administration Rev. 83

298-37 DRIVER'S RECORD OF DUTY STATUS (One calendar day - 24 hours)

Form Approved, OMB Control #2125-0016
ORIGINAL—File each day at home service center
DUPLICATE—Driver retains in his possession for one month

01-6986
18-3711 17-9344 5-210

1 (Month) 13 (Day) 97 (Year) 80 (Total mileage today)

I certify these entries are true and correct: Vehicle Number (show each unit)

Deane Reizer (Driver's signature in full)

CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE (Name of Carrier or Carriers)

175 LINFIELD DRIVE, MENLO PARK, CALIFORNIA 94025 (Main Office Address)

Richfield Ohio (Name of co-driver)

Richfield Ohio (Home Service Center Address)

	MID NIGHT	1	2	3	4	5	6	7	8	9	10	11	NOON	1	2	3	4	5	6	7	8	9	10	11	Total Hours
1: OFF DUTY																									22
2: SLEEPER																									
3: DRIVING																									1 1/4
4: ON DUTY (Not Driving)																									3 1/4
REMARKS																									24

Check the time and enter name of place you reported and where released from work and when and where each change of duty occurred. Explain excess hours-section 395.8(o).

FROM: Richfield Ohio (Starting point or place) TO: Wagonstown P.A. (Destination or turn around point or place)

USE TIME STANDARD AT HOME SERVICE CENTER

TIME CARD NO. 783124 TIME CARD NO.

Form - MCS 59 - Prescribed by the U.S. Department of Transportation Federal Highway Administration Rev. 83

08298-37 DRIVER'S RECORD OF DUTY STATUS (One calendar day - 24 hours)

Form Approved, OMB Control #2125-0016
ORIGINAL—File each day at home service center
DUPLICATE—Driver retains in his possession for one month

17-988 17-9344 5-210 01-6986
18-3711 15-7322 01-460

1 (Month) 14 (Day) 97 (Year) 525 (Total mileage today)

I certify these entries are true and correct: Vehicle Number (show each unit)

Deane Reizer (Driver's signature in full)

CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE (Name of Carrier or Carriers)

175 LINFIELD DRIVE, MENLO PARK, CALIFORNIA 94025 (Main Office Address)

Richfield Ohio (Name of co-driver)

Richfield Ohio (Home Service Center Address)

	MID NIGHT	1	2	3	4	5	6	7	8	9	10	11	NOON	1	2	3	4	5	6	7	8	9	10	11	Total Hours
1: OFF DUTY																									19
2: SLEEPER																									
3: DRIVING																									10 1/4
4: ON DUTY (Not Driving)																									23 1/4
REMARKS																									24

Check the time and enter name of place you reported and where released from work and when and where each change of duty occurred. Explain excess hours-section 395.8(o).

FROM: Richfield Ohio (Starting point or place) TO: Wagonstown MD (Destination or turn around point or place)

USE TIME STANDARD AT HOME SERVICE CENTER

Pittsburgh PA. DRIVER FAIGNED SICK

Wagonstown MD

Wagonstown PLAZA PA.

Wagonstown PA.

BUCKET MC-96-28-103

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TIME CARD NO. 783124 TIME CARD NO.

08298-37

DRIVER'S RECORD OF DUTY STATUS

(One calendar day - 24 hours)

Form Approved, OMB Control #2125-0016
ORIGINAL—File each day at home service center
DUPLICATE—Driver retains in his possession for one month

1 15 97 5
(Month) (Day) (Year) (Total mileage today)

(Total miles driving today)

I certify these entries are true and correct:

Vehicle Number (show each unit)

18-3711 15-7322

Duane Richiger
(Driver's signature in full)

CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE

(Name of Carrier or Carriers)

175 LINFIELD DRIVE, MENLO PARK, CALIFORNIA 94025

(Main Office Address)

(Name of co-driver)

Richfield Ohio
(Home Service Center Address)

	MID-NIGHT	1	2	3	4	5	6	7	8	9	10	11	NOON	1	2	3	4	5	6	7	8	9	10	11	Total Hours
1: OFF DUTY																									23 1/4
2: SLEEPER BERTH																									
3: DRIVING																									1 1/4
4: ON DUTY (Not Driving)																									1 1/2
REMARKS																									24

Check the time and enter name of place you reported and where released from work and when and where each change of duty occurred. Explain excess hours-section 395.8(a).

FROM: Beaverfalls PA
(Starting point or place)

TO: Richfield Ohio
(Destination or turn around point or place)

USE TIME STANDARD AT HOME SERVICE CENTER

TIME CARD NO. 783124

TIME CARD NO. _____

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January 20, 1997

CERTIFIED MAIL NO. P 227 777 218
RETURN RECEIPT REQUESTED

To: D. Rediger # 68732 (AKV/AKO 30)

From: T. Kenny

Re: WRITTEN WARNING LETTER - FAILURE TO RUN SECOND TRIP

This letter is being issued in accordance with Article 46 of the Central States Area Over-the-Road Motor Freight Supplemental Agreement.

This is a warning letter for failing to run a second trip. You were offered a second trip upon arrival at AKO at 0040 hours on 1/15/97. However, you declined this run and went home sick.

Consolidated Freightways will not accept this type of action.

Future infractions of this nature will result in more severe disciplinary action up to and including discharge.

A handwritten signature in cursive script that reads 'Thomas L. Kenny'.

Thomas L. Kenny
Personnel Manager

/yj

cc: J. Lyons, AKO
M. Madigan, AKD
H. Whitcraft, Local # 24
Union Steward
File

DOCKET MC-96-28-103
PAGE 6 OF 10

January 27, 1997

TO: Tom Kenny
FROM: Duane Rediger #68732
RE: Written Warning Letter - Certified Mail #P 227 777 218

Please be advised that this letter represents my official protest to the above mentioned warning letter, dated January 20, 1997. for the reasons listed below.

- I - It would appear that this is the second time you have tried to discipline me for illness within the time frame of one trip. What you state as far as times and dates in your letter are basically correct. However had you been more in-depth in your investigation you would have found that on the first portion of the run that I had completed, I became ill. As stated in a prior protest letter, I did not feel well at that time but felt that I could attempt to complete the trip.
- II- Upon arrival in Akron, Ohio, I still felt uneasy and fatigued, and felt that I might require medical treatment. I attempted to explain this to the shift supervisor (Joe Hrabusa) at the time however I believe that my explanation fell on deaf ears, as he expressed doubt as to my physical condition and informed me that if I did not accept another work assignment and go back out on the road that he would see to it that I received a warning letter not only for what he considered this infraction, but also an additional letter for taking too long on the first leg of this run.
- III - I did in fact feel ill and did go home. However, I did seek medical attention shortly after the completion of the run. (A doctor's Slip is attached) Without wanting to sound redundant I must again reiterate what was said in a previous protest letter, that feeling ill, I attempted to follow Federal Motor Carrier Safety Regulation 392.3 and company rules as outlined in the Transport Operator Manual.

In view of the above, it would appear that you are attempting to discipline me, when disciplinary action is neither deserved nor justified. I respectfully request that the warning letter be rescinded and permanently removed from my personnel file.

Respectfully,

cc: J. Lyons
H. Whitcraft
Union Stewards
DOT

Duane Rediger

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NORTON FAMILY PRACTICE
1193 NORTON AVE SUITE A
NORTON, OH 44203
(216) 825-0847 FAX (216) 825-9569

Diane Rediger

has been under my care from 1-15-97

to _____. They may return to

work/school on 1-17-97.

Comments/Restrictions _____

Dr. J. David Stokes MD/J

Date 1-15-97

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NAME AKO 07/14/74 10/01/87
DATE TRIP STARTS 01/13/97
DATE TRIP ENDS 12/1/97
EMP # 10000 TC NUMBER 783124
MULT T/C 1
TRIP # 121

EXPLANATION AND NOTES	ARRIVE	DEPART	TIME	APPROV	WHILE ON DUTY	TIME	K/T	DEST	T/D	RATE
NO. HOURS TO TURN	08/0	0840			30					
RD DROP - HOOK										
BED IN ROUT OUT	1315	2115			8-					
OF DOT HOURS INSTRUCTED BY DISPATCH										
10 HOURS DRIVING										
DROP-HOOK	0041	0926			18-22					

ORIGIN	DESTINATION	SIC CODE	EQUIPMENT NUMBERS	TRIP	LOAD RELEASE	WEIGHT (POUNDS)	T/O	MILES	T/C	K/T	T/D	HOURS	RATE
AKO	TRACOR	118	37111	521	17076	11180							
HA9	TRACOR	118	37111	521	17067	12646							
HA9	TRACOR	118	37111	519	3044	17361							
HA9	TRACOR	118	37111	519	3042	13863							
AKO	TRACOR	118	37111	519	3044	17261							

CLASS EXPLOSIVES OUTBOUND SCHEDULE INBOUND SCHEDULE CALL IN TO FROM LAUNCHING TURNPIKE TICKET # TURNPIKE TICKET # TURNPIKE TICKET # DATE TRIP ENDS 15150

CAUTION: 136" HIGH TRAILER FASTEN SEAT BELTS
ENGINE IDLING WASTES FUEL - DO NOT IDLE
SIGNATURE - DRIVER NO. 2

Unsubstantiated fees this
592 miles trip can
be computed in
10 hrs. they are
wrong, we need
your help!

Thank you,
Deanne Pappas

If you have any
questions please
call Deanne Pappas
1391 Wenden Dr.
Bartlett, IL 6003
44003
330-644-7057

STRAIGHT TIME HOURS 36.76
GROSS PAY 714.09
FEDERAL TAX 88.51
FICA 54.62
STATE TAX 25.28
TOTAL MISC DEDUCTIONS 390.00
NET PAY 155.68

NO COMPANY OR ORGANIZATION CAN GUARANTEE
EMPLOYMENT. ONLY THE CUSTOMER CAN DO THAT!

EMPLOYEE NAME		CORP	EMPLOYEE NUMBER	SOCIAL SECURITY NO.	LOCATION-UNIT	STATE	MARITAL STATUS	FED EXEMPTS	STATE EXEMPTS	DRAF NUMBER	PERIOD ENDING
D K NEDIGER		1000	68732	298-48-4402	AKO-30	OH	M	0	0	12-2608	01/18/97
STATEMENT OF EARNINGS AND WITHHOLDING - CURRENT PERIOD											
STRAIGHT TIME HOURS					A/C CR UN						
GROSS PAY					36.76						
FEDERAL TAX					714.09						
FICA					88.51						
STATE TAX					54.62						
TOTAL MISC DEDUCTIONS					25.28						
NET PAY					390.00						
					155.68						
					90.00						

NO COMPANY OR ORGANIZATION CAN GUARANTEE EMPLOYMENT. ONLY THE CUSTOMER CAN DO THAT!

STATEMENT OF EARNINGS AND WITHHOLDING - YEAR TO DATE

SUBSISTENCE	DEFERRED COMP	EARNINGS	FED TAX/FICA	401K	HEALTH CARE	DEPENDENT CARE	MILES AHEAD						
		4,369.12	999.58				DATE MO DA	LOC	K/T	MILES	HR MIN	RATE	AMOUNT
0113	783124	124	140	50	1800	90	0118	124	141	23	1800	414	
0113	124	141		37	1800	666	0118	124	171	5	25	43875	219
0113	124	141		25	43875	219	0118	124	171	65	150	43875	2852
0113	124	171	296	650	45275	13401	0118	124	171	191	425	45275	8648
0113	124	171	203	450	45275	9191							10459
0113	124	171	84	175	45275	3803							27110
						28279							
0117	783519	124	111	29	150	1800							
0117	124	111	29	150	1800	2700							
0117	124	111	29	150	1800	2700							
0117	124	111	29	150	1800	2700							
0117	124	111	29	150	1800	10800							
0117	783526	124	111	29	190	1800							
0117	124	111	29	100	1800	3420							
0117	124	111	29	100	1800	1800							
0118	816890	124	127	208	1800	5220							
0118	124	141		43	1800	3744							
						774							

WHY RISK AN INJURY?
DON'T OVER-STAY ON TRUCK

DOCKET

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CONSOLIDATED FREIGHTWAYS
PO BOX 4121 PORTLAND, OR 97208

WHY RISK AN INJURY?
DON'T TURN-BACK ON TRUCK

MILES AHEAD

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